

REMARKS

The new set of claims has been drafted to make it clear that the claimed invention is directed to a method, and, more particularly, to a method of determining whether there is a break between first and second points of an optical fiber cable. This is in line with the first three lines of page 8 of the application.

New claim 33 is novel, as U.S. Patent No. 6,577,385 to Sakamoto does not determine whether there is a break in a certain cable. As described at col. 5, lines 32-55, the system of Sakamoto determines whether the cable is an active line or achieving communication. As such, the method does not test for a break in the cable and so does not carry out all of the steps claimed. Claim 33 is therefore novel over Sakamoto.

It can also be seen that Sakamoto is solving a different problem to that discussed in the present application. Sakamoto is concerned with ensuring that communications are not disturbed by transmitting measurement pulses on an active fiber (col. 1, lines 45-49). This can be seen as a “wrong fiber” problem. The present invention is solving a different problem, namely how to determine where a break is on a known fiber, but when it is not known where relative to the reflectometer the break is. This problem is not considered in Sakamoto, nor is it discussed whether the method of Sakamoto could be sued to determine where there is a break in a cable.

This feature claimed in claim 34 defines a further step that is not seen in Sakamoto and for this reason we believe it has independent validity. In Sakamoto, the system shown is a unidirectional transmission system from Tx to Rx (Fig. 6). As such, transmission occurs only at the transmitter, and not at the receiver. The receiver in Sakamoto is just that; a receiver, without any means for transmitting the optical signal. As discussed in the present application, such receivers are

often delicate and damage to them could occur if optical time delay reflectometer (OTDR) signals were transmitted to them. By having the receiver transmit a signal, it can be determined whether the cable between the OTDR and the receiver is broken and so whether it is safe to transmit OTDR signals. This solution to preventing damage to receivers is not suggested by Sakamoto, or any other of the prior art of which we are aware. Claim 34 is therefore also novel and inventive over Sakamoto and all other prior art.

In keeping with applicants' duty of candor, enclosed is Form PTO-1449 listing Japanese Patent No. JP5-102583 (along with an English Abstract) that was cited in the corresponding United Kingdom application. **The Rule (17)p fee of \$180.00 is enclosed.**

Petition is hereby made for a two-month extension of the period to respond to the outstanding Official Action to May 28, 2007. **A check in the amount of \$450.00**, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of the amendment, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.

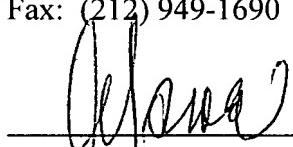
Attorneys for Applicant(s)

489 Fifth Avenue

New York, New York 10017-6105

Tel: (212) 697-3750

Fax: (212) 949-1690



Alan Israel
Reg. No. 27,564